IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Crl.MC.No. 1418 of 2007

CC.58/2005 OF JUDL.MAGISTRATE OF FIRST CLASS COURT-III, PALAKKAD

PETITIONER/ACCUSED:

JOSE IGNATIUS, S/O.IGNATIUS,
AKSHARA, KALAKKODE, BHOOTHAKKULAM,
PARAVUR, KOLLAM.

BY ADV. SRI.DILEEP P.PILLAI.

RESPONDENT/COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27/04/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

Crl.M.C. NO.1418 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the accused in CC.No.58 of 2005 on the file of the Judicial First Class Magistrate's Court-III, Palakkad with respect to the offences under Sections 341 and 323 of IPC has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It was submitted that he could not appear before the court as he was not aware of the pendency of the case.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Crl.M.C. is disposed of accordingly.

K.R.UDAYABHANU.
JUDGE.

kvs/-